

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
Macon DIVISION

OCT 30 AM 9:33

QUESTIONNAIRE FOR THE PRISONERS PROCEEDING
PRO SE UNDER 42 U.S.C. § 1983

David Keith Green

(GIVE FULL NAME AND PRISON NUMBER OF PLAINTIFF)

Plaintiff

CIVIL ACTION NO. _____

VS.

Christy Lane, Corey King,
Wesley Palmer, Venesah Lewis
Mathew Marshall, Quang
Walker, Kentrell Andrews
(NAME OF EACH DEFENDANT) Trey Burgamy
Berly McNeely Defendant(s)
Kason Anderson

Eric Burgamy Victoria Pullen
Blake Domley I. GENERAL INFORMATION

1. Your full name and prison number David Keith Green GDC#200507
2. Name and location of prison where you are now confined Autry State Prison, Pelham GA.
3. Sentence you are now serving (how long?) 27 months Probation violation and
 - (a) What were you convicted of? stalking, false report.
 - (b) Name and location of court which imposed sentence Superior Court
Sandersville, GA, Washington County
 - (c) When was sentence imposed? Jan, 22, 2019
 - (d) Did you appeal your sentence and/or conviction? Yes ☐ No ☒
 - (e) What was the result of your appeal? N/A

(f) Approximate date your sentence will be completed May 20, 2021

II. PREVIOUS LAWSUITS

NOTE: FAILURE TO DISCLOSE ALL PRIOR CIVIL CASES MAY RESULT IN THE DISMISSAL OF THIS CASE. IF YOU ARE UNSURE OF ANY PRIOR CASES YOU HAVE FILED, THAT FACT MUST BE DISCLOSED AS WELL.

4. Other than an appeal of your conviction or sentence, and other than any habeas action, have you filed a lawsuit dealing with the same or similar facts or issues that are involved in this action?

Yes ☒ No ☐

5. If your answer to question 4 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH).

(a) Parties to the previous lawsuit INVOLVING SAME FACTS:

Plaintiff(s): ^①David Keith Green ^②David Keith Green

Defendant(s): ^①Thomas H. Smith ^②Gale Thompson

(b) Name of Court: ^①Macon District ^②Albany District

(c) Docket Number: 5:19-cv-00370 When did you file this lawsuit? m-77-msh

(d) Name of judge assigned to case: m-77-msh

(e) Is this case still pending? Yes ☒ No ☐ #2 is pending

(f) If your answer to (e) is "No", when was it disposed of and what were the results?

(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

^①Dismissed, July 9, 2020

6. Other than an appeal of your conviction or sentence, and other than any habeas action, have you ever filed any lawsuit while incarcerated or detained? Yes ☒ No ☐

7. If your answer to question 6 is "Yes," list that lawsuit below, giving the following information:

(IF YOU HAVE FILED MORE THAN ONE LAWSUIT, LIST OTHER LAWSUITS ON A SEPARATE SHEET OF PAPER, GIVING THE SAME INFORMATION FOR EACH)

(a) Parties to the previous lawsuit:

Plaintiff(s): David Keith Green

Defendant(s): Thomas H. Smith

(b) Name of Court: Middle District Court + Macon Ga.

(c) Docket Number: 5:19-cv-00370 When did you file this lawsuit? 9-13-2019

(d) Name of judge assigned to case: 370-MTT-msh Stephen Hyles

(e) Is this case still pending? Yes ☐ No ☒

(f) If your answer to (e) is "No", when was it disposed of and what were the results?
(DID YOU WIN? WAS THE CASE DISMISSED? DID YOU APPEAL?)

Time Barred

8. AS TO ANY LAWSUIT FILED IN ANY FEDERAL COURT in which you were permitted to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes ☐ No ☒

If your answer is Yes, state the name of the court and docket number as to each case:

_____	_____
_____	_____
_____	_____
_____	_____

III. PLACE OF INCIDENT COMPLAINED ABOUT

9. Where did the matters you complain about in this lawsuit take place? _____

Washington County Jail, Sandersville Ga.

(a) Does this institution have a grievance procedure? Yes ☐ No ☒

(b) If your answer to question 9(a) is "Yes", answer the following:

(1) Did you present your complaint(s) herein to the institution as a grievance?

Yes ☐ No ☒

(2) If Yes, what was the result? _____

(3) If No, explain why not: Not that I was
aware of.

Page 5-16

(c) What, if anything else, did you do or attempt to do to bring your complaint(s) to the attention of prison officials? Give dates and places and the names of persons talked to.

My mother called Nurse Lane and complain about my blood pressure medicine, January 2019

(d) Did you appeal any denial of your grievance to the highest level possible in the prison system? Yes ☐ No ☒

(1) If Yes, to whom did you appeal and what was the result? _____

(2) If No, explain why you did not appeal: _____

10. In what other institutions have been confined? Give dates of entry and exit.

BDCP January 22, 2019 - October 8, 2019

IV. PARTIES TO THIS LAWSUIT

11. List your CURRENT place of incarceration/mailling address.

Autry State Prison

P.O. Box 648

Pelham Ga. 31779

12. List the full name, the official position, and the place of employment of each defendant in this lawsuit. (ATTACH ADDITIONAL PAGES IF NECESSARY)

Washington County Sherriiff Dept.

(A) Parties to the previous lawsuit:

Plaintiff: David Keith Green
Defendant: Gale Thomson

(B) Name of Court: Southern District Court
Albany Georgia.

(C) Docket Number: 1:20-cv-00019-LAG-TQL
File on: 02-05-2020

(D) Name of Judge: Thomas Q Langstaff

(E) Is case still pending: Yes ☒ No ☐

Nurse Christy Lane
Captain - Corey King
Jailer - Wesley Palmer
Sargent - Venessa Lewis
Jailer - Mathew Marshall
Jailer - Quanna Walker
Jailer - Kentrell Andrews
Jailer - Beryl McNeely
Investigator - Trey Burgamy
Investigator - Eric Burgamy
Jailer/Maintenance - Blake Dominey
Road Officer - Kason Anderson
Sargent - Victoria Pullam
Washington County Sheriff Dept.
735 Kaulin Rd.
Sandersville, Georgia 31082

I have requested the other jailers full name but, they refuse to send me anything from the Washington County Sheriff Dept. And my medical records either.

A total of 6 more jailers involved.

V. STATEMENT OF CLAIM

13. In the space hereafter provided, and on separate sheets of paper if necessary, set forth your claims and contentions against the defendant(s) you have named herein. Tell the court WHAT you contend happened to you, WHEN the incident(s) you complain about occurred, WHERE the incident(s) took place, HOW your constitutional rights were violated, and WHO violated them? Describe how each defendant was involved, including the names of other persons who were also involved. If you have more than one claim, number and set forth each claim SEPARATELY.

DO NOT GIVE ANY LEGAL ARGUMENT OR CIT ANY CASES OR STATUTES AT THIS TIME; if such is needed at a later time, the court will advise you of this and will afford you sufficient time to make such arguments. KEEP IN MIND THAT RULES 8 OF THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRES THAT PLEADINGS BE SIMPLE, CONCISE, and DIRECT! If the court needs additional information from you, you will be notified.

WHERE did the incident you are complaining about occur? That is, at what institution or institutions? Washington County Jail (Sandersville GA)

WHEN do you allege this incident took place? Nov. 30 - Jan. 23, 2019 March 2, 2019

WHAT happened? Plaintiff did not receive "much needed medical treatment" while housed at the Washing County Jail. Plaintiff states that he had been in the Jefferson County Hospital from November 25-29, 2018 immediately prior to his November 30, 2018 arrest. Plaintiff was diagnosed with high blood pressure and an enlarged heart, and he was prescribed three drugs to treat his high blood pressure and valium to slow down his heart rate. On December 1, 2018 when nurse Lane arrived at work. I was in a holding cell that was not ADA certified "deliberate indifference" violated my ADA rights. Nurse Lane checked my vitals and gave me my medicine

that, I had brought to the county jail that, I had filled. Nurse Lane gave me all of my medicine Except the Valium for my serious heart condition to slow my heart rate down, "Deliberate Indifference" (Estelle v. Gamble 429 U.S. 97) Nurse Lane told me that she could not give me the valium pills that my doctor prescribe for me to take for my heart condition. "Deliberate Indifference" (Collins v. County San Diego, San Diego County Case #37-2017-00-28981 Cal. 4th) Plaintiff ran out of his blood pressure medication on December 25, 2018. And Lane gave him different pills. When plaintiff ask about the pills, Lane told him that these pills were pills they had left over in blister packs, "Not prescribe for Plaintiff," "Deliberate Indifference" (Farlow v West) Lane remarked to Plaintiff that the jail was not going to get my prescribe medicine refill, I told Lane that my mother or son would come and get bottles and have them refilled.

p. 14-17

Lane did not say nothing and walked off. (Estelle v. Gamble 429 U.S. 97) Collins v. County of San Diego California (37-2017-0028981)

I call my mother and told her about my medication and she called Lane. About my medication that was not refilled and ask Lane Etal about the pills that they were giving me.

About 30-45 minutes Lane came to Plaintiff's cell and got him out in the hall with a very "Hostile Attitude" toward the Plaintiff's medical needs. She commented that, I had told my mother about the medication that Lane Etal was given me. And Lane stated that I was not going cause her to loose her "Nursing License". This is "Direct Evidence" of "Deliberate Indifference" (See "Goebert v. Lee County" 11th cir. 2007)

When Plaintiff came back to County for Court Lane took Plaintiff's, (Nitro pills) Away from him and put them in her office, "Deliberate Indifference"

page 14 of 16

On January 9, 2019 Plaintiff's blood pressure increased to 203/98 and he was treated with a clonidine pill that was not prescribe for (him) the pill came out of a blister pack in Lane's medicine cart. Plaintiff experienced high blood pressure and chest pain, shortness of breath, dizziness, headaches and heart racing "for several consecutive days. He was treated with blood pressure pills "that was not prescribe for him" "deliberate indifference" but it does not appear that his blood pressure was ever controlled after his prescribe medication ran out and Plaintiff continued to experience additional physical symptoms. (Estell v Gamble 429 U.S. 97)

On January 15, 2019 the left side of Plaintiff's face was "drooped" and his blood pressure was 188/101. Plaintiff was taken to the hospital where he was diagnosed with Bell's palsy and a medical professional at the emergency room recommend that Plaintiff go to a "heart center" ASAP for further treatment with his enlarged heart and the condition of his heart,

Nurse have advised me to keep a record of my blood pressure

1-7-19 Blood Pressure 162/92.

1-8-19 Blood Pressure 188/100.

1-9-19 Blood Pressure 203/98 chest Pains, short of breath, head hurting.

1-10-19 Blood Pressure 198/98 Told Lane dizzy and heart racing at 8:45 Am, short of breath. Lane said it is just anxiety and just lay down. Check Blood Pressure at 1:20 PM and it was 198/98.

1-11-19 Blood Pressure 172/96

1-12-19 Told Lane that I was dizzy and chest Pains. She did not check my blood Pressure.

1-13-19 Chest Pains dizzy and did not check blood pressure. And gave me some other kind of blood pressure pills and.

1-14-19 Blood Pressure was 157/92

1-15-19 At 7:05 AM got up left side of my face was drooped and blood pressure was 188/101. Five hours later at 12 PM I was taken to the E.R. at Washington County Hospital.

And said it was Bells Posay and gave me a prescription, Told him that I have an enlarge heart. The ER doctor told said with my heart racing and blood pressure that I need to see a cardiologist at a heart center and Corey King was in the ER room when the doctor said that. At the ER they would not show me my blood pressure. 1-16-19 Blood Pressure was 157/86

They or Nurse Lane did not check my blood pressure again.

"Deliberate Indifference" Constitution Violation cruel and unusual punishment and the 8th Amendment gives a civil rights cause of action under 42 USC 1983 regardless of whether the difference was manifested by the medical staff at Washington County Jail Nurse Kristy Lane ETAL.

(Estelle v. Gamble 429 U.S. 97 5th Cir)

(McElligott v. Foley 182 F3d 1248 1256

(11th Cir 1999)

(Collins v. County of San Diego, San Diego County, California Superior Court Case # 37-2017-0028981

Page #
15 of 16

After going to the hospital no body check my blood pressure again. (Estelle v. Gamble 429 U.S. 97)

On January 23, 2019 Plaintiff was sent to the Georgia Diagnostic and Classification Prison in Jackson Georgia. The doctor who checked Plaintiff into the facility started working on (Plaintiff's) blood pressure and (his) heart condition and ended up again taking Plaintiff to the emergency room. While in the hospital Plaintiff was given an IV and medication to lower his blood pressure and he and officers was advised that the prison needed to get (him) to a cardiologist ASAP.

Medical staff at Georgia Diagnostic and Classification Prison in Jackson Georgia had an echo cardiogram done at the prison. The echo cardiogram technician ask if I had a heart attack recently. Plaintiff replied, I don't know but something happen while in the Washington County Jail, she replied when I ask "why" cause your heart is scared from a heart attack,

Recent

"Deliberate Indifference" Estelle v Gamble
To serious medical needs harmful to
the plaintiff can offer enduring standards
of violation of the 8th ~~Amendment~~ Amendment.

Defendants Wesley Palmer, Veness Lewis, ^{Victor} ~~Palmer~~
Mathew Marshall, Quanna Walker, Kentrell
Andrews, Berly McNeely, Blake Dominy,
"Deliberate Indifference" permitting
the defendants to render medication
to prisoners that are not license and
qualified to do so. (Madrid v. Gomez
889 F. Supp. 1146, 1258 (ND, Cal. 1995))

On March 2, 2020 and "early morning
of March 3, 2020. Defendant Wesley
Palmer, got ~~a~~ Plaintiff up to take
him to Washington State Prison
in Davisboro, Georgia. Plaintiff ask
about ~~his~~ his "blood pressure" pills.
Wesley Palmer told him that the
"nurse Lane" did not leave any
for him. Wesley Palmer state that
plaintiff's pills were counted and
sealed to send back with plaintiff
to prison. Plaintiff told Wesley Palmer
that he had to had his blood
pressure medication.

Page 15 of 19

Wesley Palmer told Plaintiff that he was not going to open his medication "deliberate indifference" (Estelle v. Gamble 429 US 97)

Wesley Palmer then order Plaintiff into a transport van that was not ADA approved for transport of wheelchairs violations of Plaintiff's ADA rights of 1990. When we got to Washington State Prison the officers would not let Wesley Palmer make me climb out of the van "Due to that I could not walk at that time" had no use of my left leg due to a stroke. Wesley Palmer took me back to the Washington County Jail and made me climb out of van. Then Captain Corey King told "Lane that he was going to transport me back to Autry State Prison in Pelham Georgia. Defendant King still did not open my blood pressure medication and give me any or did Nurse Lane. Defendant King was very "Hostile toward Plaintiff" And was made to climb in his F150 4x4 truck. "Deliberate Indifference" (Estelle v. Gamble 429 US 97)

Collins County of San Diego Cal. 37-2017-0028981 4th in

page 12
18

On or about the first week in December of 2018 upon my arrest on November 30 2018. Defendants Eric Burgamy and Trey Burgamy took me out of a cell in medical holding area. And question me in a very "Hostile" manner toward me, In my serious medical condition with blood pressure and serious heart condition. Both defendants were well aware of my medical condition "Deliberate Indifference"

(Goebert v. Lee County 510 F 3d 1312 1327-28 1331 (11th Cir 2007))

Washington County's Inmate Handbook Section V, Inmate Services, A. Health and Medical #7 All medications will be prescribed or approved by the licensed facility physician. Medical personnel and staff members will ensure that medications are administered and taken as directed. "Non-prescription medications" may be dispensed by staff members according to the licensed facility physician instruction. All administered medication will be documented. "Deliberate Indifference" Prescription medications are being dispensed by non licensed personnel, (Madrid v. Gomez 1995)

Standards of Deliberate Indifference

Deliberate Indifference Standard
the Supreme Court has stated that
"deliberate indifference" to serious
medical needs of prisoners "constitutes"
the unnecessary and want or infliction
of pain, proscribed by the "8th Amendment"
Pretrial detainees right to medical care
is protected by the "Due process Clause"
rather than the "8th Amendment", but
most courts have simply applied the
same "8th Amendment Deliberate Indifference"
Standard under the "Due Process Clause."

This is a "Constitution Violation"
cause "Lane et al had knowledge of
Plaintiffs serious medical condition
"Deliberate Indifference can be found
in "Plaintiffs Case", Cause there were
deficiencies in Plaintiffs medical care,
That created a risk of harm or death
that happen to Plaintiff,
("ESTELLE v. Gamble" 429 U.S. 97) Collins v. County
of San Diego of San Diego California 37-2017
0028981, 4th cir)

8016

14. List the name and address of every person you believe was a WITNESS to the incident(s) you complain about, BRIEFLY stating what you believe each person knows from having seen or heard what happened. (USE ADDITIONAL SHEETS, IF NECESSARY)

Christyhane, (medical condition) Ete AL Corey King, Wesley Palmer, Vennessa Lewis, Mathew Marshall, Quanna Walker, Kentrell Andrews, Trey Burgamy, Beryl McNeely, Kason Anderson, Eric Burgamy Blake Domiey ^{see} _{Attach,}

15. BRIEFLY state exactly what you want the court to do for you. That is, what kind of relief are you seeking in this lawsuit? Do not make any legal arguments and do not cite any cases or statutes! (USE ADDITIONAL SHEETS, IF NECESSARY)

Plaintiff should be awarded 6 million dollars. For "Neglect and indisputable harm to serious medical condition.
~~Objection to the magistrate~~

Rule 12(b)(6)

16. You may attach additional pages if you wish to make any legal argument. However, legal arguments are NOT required in order for you to obtain relief under §1983. If the court desires legal argument from you, it will request it. If any defendant presents a legal argument, you will be afforded an opportunity to respond thereto.

17. KEEP IN MIND THAT ONCE YOUR LAWSUIT IS FILED, THE COURT WILL REQUIRE YOU TO DILIGENTLY PROSECUTE IT. That means that you will be required to go forward with your case without delay. Thus, if you fail to adequately prepare your case before you file it, you may find your lawsuit dismissed for failure to prosecute if you take no action once it is filed. YOU WILL RECEIVE NO FURTHER INSTRUCTIONS FROM THE COURT TELLING YOU WHAT TO DO OR HOW TO DO IT! IT IS YOUR RESPONSIBILITY AND YOURS ALONE TO PROSECUTE YOUR OWN CASE! If you fail to prosecute your case, it will be dismissed under Rule 41 of the Federal Rules of Civil Procedure.

Signed this 17 day of October, 20 20.


PLAINTIFF

9-16

Kristy Lane Etc AL Adress.
Victor Pullam
Washington County Sheriff Dept.
735 Kaolin Rd,
Sandersville GA.

Each of the defendants had
knowledge of Plaintiff's medical
condition. And violated Plaintiff's
8th amendment. And did nothing for
plaintiff's medical condition.

"Deliberate Indifference"

(Collins v County of San Diego, San
diego California # 37-2017-00-2891 4th in)